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Attorneys for Defendant
APPLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ARAM HOVSEPIAN, individually and on behalf of all others similarly situated.

CASE NO. C 08-05788 JF

**STIPULATION AND [PROPOSED]
ORDER TO MOVE HEARING ON
APPLE'S MOTION TO DISMISS AND
MOTION TO STRIKE**

Plaintiff

VS.

APPLE INC.,

Defendant.

Complaint Filed: December 31, 2008

Hon. Jeremy Fogel

WHEREAS, defendant Apple Inc.'s Motion To Dismiss and Motion To Strike are set to be heard by the Court on July 24, 2009 at 9:00 a.m.;

WHEREAS, one of the Counsel for Plaintiff Aram Hovsepian will be traveling from out of state and recently became aware of a scheduling conflict on that date,

WHEREAS, a Case Management Conference is currently set in this matter for August 14, 2009 at 10:30 a.m.;

NOW THEREFORE, the parties, by and through their undersigned counsel, hereby stipulate and agree to move the hearing on the Motion to Dismiss and Motion to Strike from July 24, 2009 at 9:00 a.m. to August 14, 2009 at 9:00 a.m.

DATED: July 15, 2009

SEAGER WEISS LLP

By: _____ /s/ Jonathan Shub
JONATHAN SHUB

Attorneys for Plaintiff
ARAM HOVSEPIAN

DATED: July 15, 2009

PAUL, HASTINGS, JANOFSKY & WALKER LLP

By: _____ /s/ Thomas A. Counts
THOMAS A. COUNTS

Attorneys for Defendant
APPLE INC.

I attest that concurrence in the filing of this document has been obtained from Thomas Counts for Plaintiff.

By: /s/ Jonathan Shub
Jonathan Shub
Attorney for Plaintiff
Aram Hovsepian

ORDER

The Court has considered the above Stipulation, and for good cause appearing therefore, the Court hereby ORDERS as follows: The Court will hear Apple's Motion to Dismiss and Motion to Strike on August 14, 2009 at 9:00 a.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

**Jeremy Fogel
United States District Judge**